

March 10, 2021

Christopher Conklin
Director, Montgomery County Department of Transportation
101 Monroe Street, 10th Floor
Rockville, Maryland 20850

Re: Abandonment Request for 8,244 Square Feet of Right-of-Way
Sleaford Road Between East West Highway and the Georgetown Branch Trail/Purple Line

Dear Director Conklin:

Nova East West, LLC (Nova Ventures), is the contract purchaser of a property located at 4201 East West Highway. A single-family detached house is located on the property, which is currently being leased to a family that resides in the home as their primary residence. The home makes for a great rental option for families with children, as it provides an affordable option for families to live within walking distance to Bethesda Elementary School, Bethesda-Chevy Chase (B-CC) High School, and the employment options, retail amenities, and recreational activities of downtown Bethesda. At the conclusion of the current lease term, Nova Ventures will consider the potential redevelopment of the property to allow for missing middle sized detached housing, or it may continue leasing the existing home to families for the foreseeable future.

The existing home was constructed in 1949, and since that time the use of the property has included a small area of land, measuring 8,244 square feet, that is technically part of the Sleaford Road right-of-way (this land area is shown on Exhibit A). This area, which we are hereby requesting for an abandonment, includes the current home's driveway and curb cut along East West Highway, a gravel parking and turnaround area for the residents' vehicles, and a large area of the property's functional backyard, which is located in very close proximity to a children's playhouse set.

Prior to the commencement of construction on the Purple Line light rail project, the Sleaford Road right-of-way between East West Highway and the Georgetown Branch Trail was an unused paper street that was heavily wooded aside from the small area identified in this request. With the construction of the Purple Line, the balance of the Sleaford right-of-way has now been clear-cut and is currently being used as a construction staging area for materials and equipment necessary for the light rail project. At the Purple Line's completion, the Sleaford Road right-of-way will provide a pedestrian trail connection and underpass under the rail tracks that will allow for pedestrian access to the Georgetown Branch Trail from East West Highway. The Purple Line construction plans delineates the 8,244 square foot area requested for abandonment as outside the Purple Line's Limits of Disturbance (See Purple Line Light Rail Civil Design Sheet 33 on Exhibit B). The construction plans for the Purple Line consider this area as functionally part of 4201 East



West Highway. Therefore, no portion of the area requested for abandonment is necessary for the current or future operations of the Purple Line.

We are requesting the abandonment of the 8,244 square foot area of the Sleaford Road right-of-way, pursuant to Section 49-63(c) of the Montgomery County Code, as (1) no longer necessary for present public use or anticipated future use for the foreseeable future and (2) necessary for the protection of the health, safety, and welfare of nearby residents:

- The owners of 4201 East West Highway have historically maintained the area of land requested for abandonment, which provides evidence that this area is not currently, nor has previously been, in the public use.
- The engineering and construction plans for the Purple Line shows that all current and future features of the light rail project, including the future 12-foot wide pedestrian pathway and underpass, are to be located outside of the area requested for abandonment. Therefore, the area requested for abandonment is not necessary for present public use or anticipated future public use.
- The area requested for abandonment has been historically used, and is necessary for future use, by the residents of 4201 East West Highway to allow for adequate vehicular ingress and egress to East West Highway. This area also allows for the turnaround of vehicles on the property to avoid the dangerous condition of having to back vehicles into oncoming traffic on East West Highway. Therefore, the requested land area is necessary for the health, safety, and welfare of the residents of 4201 East West Highway.
- The abandonment of the requested land area will allow for an adequate buffer and screening area, allowing for the placement of privacy landscaping and fencing between the future pedestrian trail and underpass and the home's backyard where resident children frequently play. Without such screening, a pedestrian using the future pathway may mistake the backyard children's play area as part of the public domain. Therefore, the requested land area is necessary to protect the health, safety, and welfare of the residents of 4201 East West Highway.
- The inclusion of this 8,244 square foot land area into the property may also allow for the potential future redevelopment and redesign of the property when the aging home that is located on the property today reaches the end of its useful life. A future redevelopment of the property could allow for two or three newly built, mid-sized detached homes that are designed to orient better to the Purple Line and future pedestrian public pathway, improving the safety and welfare of any future residents. Any future redevelopment of the property will be reviewed and approved by the Montgomery County Planning Department or Planning Board through a preliminary plan of subdivision.

Based on the foregoing, we respectfully request that the 8,244 square foot area of Sleaford Road as shown on Exhibit A be abandoned and subsequently incorporated into 4201 East West Highway (Lot 5, Block D, of Chevy Chase Section 4-D).



In connection with this request, please find the following enclosed:

- \$2,500.00 filing fee
- Abandonment Plan identifying the area requested for abandonment (Exhibit A)
- Purple Line Light Rail Civil Design Sheet 33 showing the 4201 East West Highway home and driveway in relation to the future Purple Line alignment and pedestrian trail/underpass (Exhibit B)
- Photographs of Existing Conditions
- 1947 Record Plat, Chevy Chase Section 4-D (Plat No. 2006)
- Authorization Letter from Landowner

Thank you for your consideration of this request. If you have any questions or would like any additional information, please feel free to contact me directly.

Sincerely,



Damon Orobona

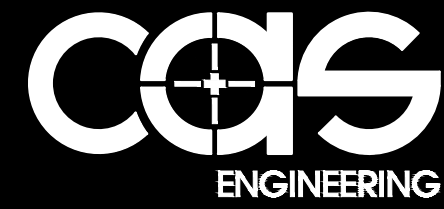
cc: Eric Willis, Esquire



| DATE | REVISION |
|------|----------|
| | |
| | |
| | |
| | |
| | |

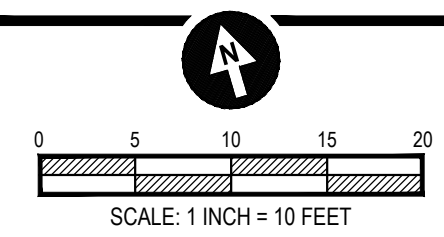
Lot 5, Block D, Chevy Chase, Section 4D
Plat Book 31, Plat No. 2006, Recorded 8/11/1947
Beltseda (7th) Election District, Montgomery County, MD

4201 East West Highway
Chevy Chase, Maryland 20815



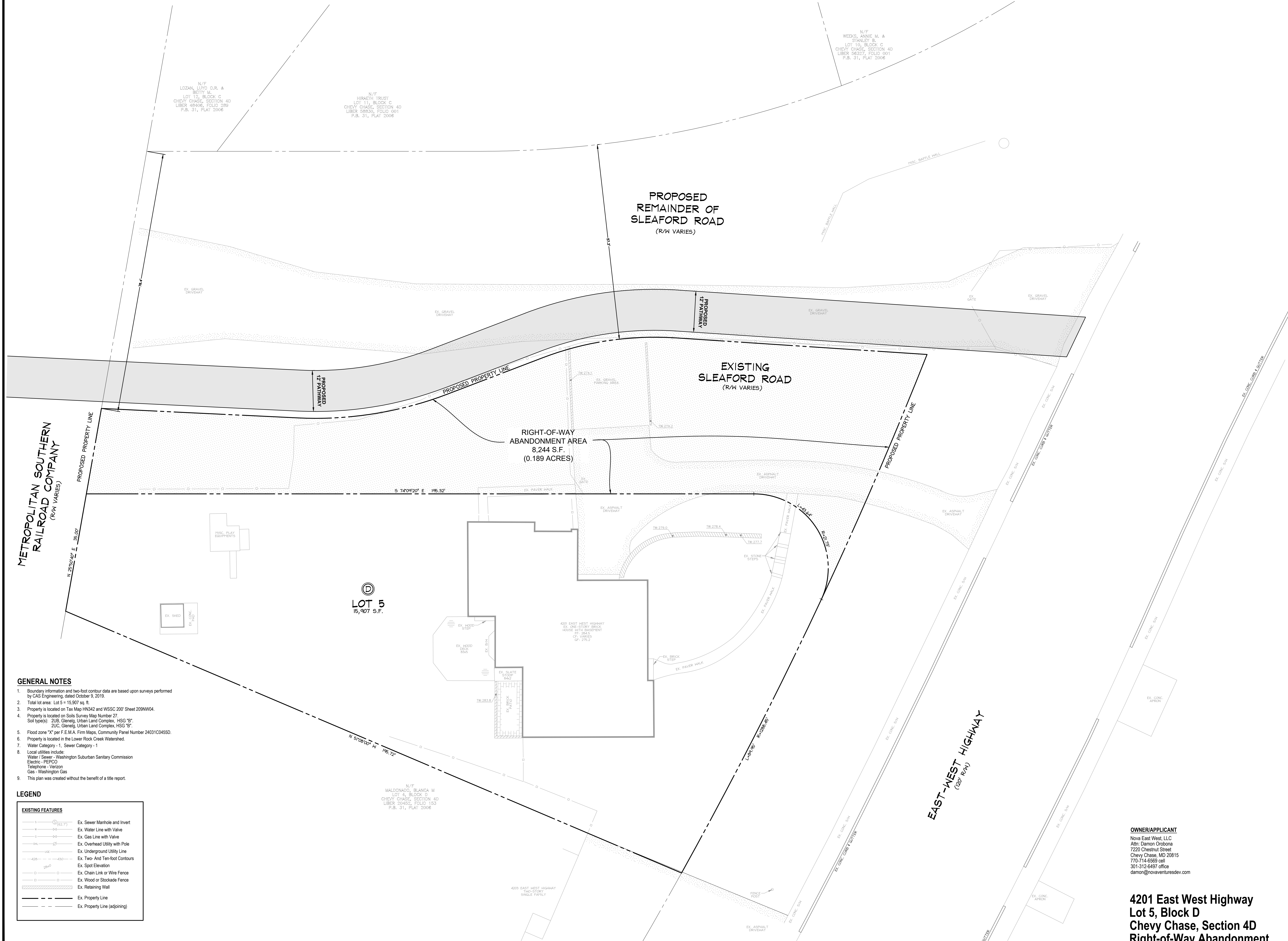
CAS ENGINEERING-MD
10 South Bentz Street
Frederick, Maryland 21701
301-607-8031 Phone
info@caseng.com
www.caseng.com

CAS ENGINEERING-DC, LLC
1001 Connecticut Avenue, NW, Suite 401
Washington, DC 20036
202-393-7200 Phone
info@cas-dc.com
www.cas-dc.com



SHEET TITLE:
Right-of-Way
Abandonment Exhibit

EX-1

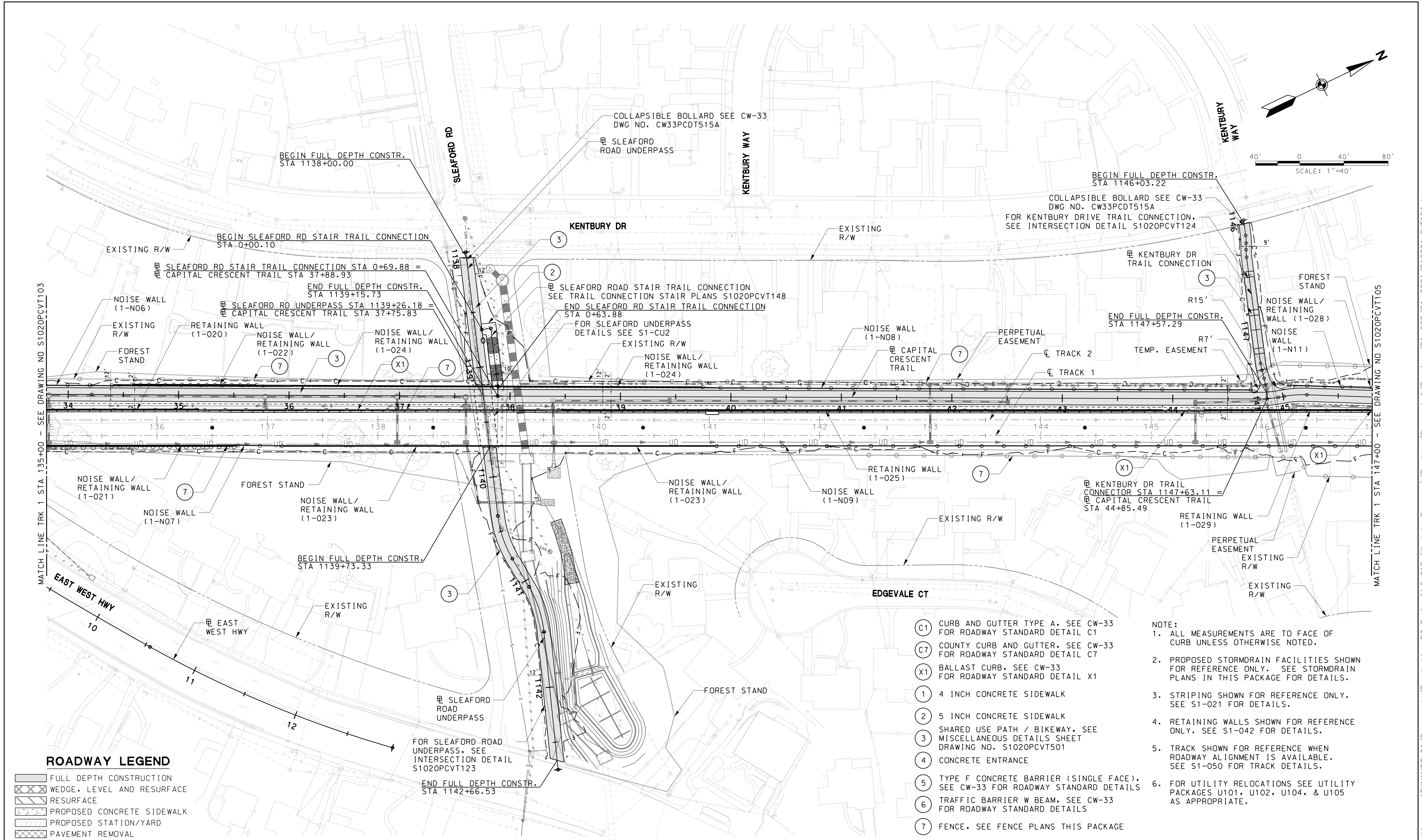


GENERAL NOTES

- Boundary information and two-foot contour data are based upon surveys performed by CAS Engineering, dated October 9, 2019.
- Total lot area: Lot 5 = 15,907 sq. ft.
- Property is located on Tax Map HN342 and WSSC 2007 Sheet 209NW04.
- Property is located on Sales Survey Map Number 27.
Soil type(s) - 2UB, Glenelg Urban Land Complex, HSG "B".
2UC, Glenelg Urban Land Complex, HSG "B".
- Flood zone "X" per F.E.M.A. Firm Maps, Community Panel Number 24031C0455D.
- Property is located in the Lower Rock Creek Watershed.
- Water Category - 1, Sewer Category - 1
- Local utilities include:
Water / Sewer - Washington Suburban Sanitary Commission
Electric - PEPCO
Telephone - Verizon
Gas - Washington Gas
- This plan was created without the benefit of a title report.

LEGEND

| EXISTING FEATURES | |
|-------------------|--------------------------------|
| | Ex. Sewer Manhole and Invert |
| | Ex. Water Line with Valve |
| | Ex. Gas Line with Valve |
| | Ex. Overhead Utility with Pole |
| | Ex. Underground Utility Line |
| | Ex. Two- And Ten-foot Contours |
| | Ex. Spot Elevation |
| | Ex. Chain Link or Wire Fence |
| | Ex. Wood or Stockade Fence |
| | Ex. Retaining Wall |
| | Ex. Property Line |
| | Ex. Property Line (adjoining) |



ROADWAY LEGEND

- FULL DEPTH CONSTRUCTION
- WEDGE, LEVEL AND RESURFACE
- RESURFACE
- PROPOSED CONCRETE SIDEWALK
- PROPOSED STATION/YARD
- PAVEMENT REMOVAL

- (C1) CURB AND GUTTER TYPE A, SEE CW-33 FOR ROADWAY STANDARD DETAIL C1
- (C7) COUNTY CURB AND GUTTER, SEE CW-33 FOR ROADWAY STANDARD DETAIL C7
- (X1) BALLAST CURB, SEE CW-33 FOR ROADWAY STANDARD DETAIL X1
- (1) 4 INCH CONCRETE SIDEWALK
- (2) 5 INCH CONCRETE SIDEWALK
- (3) SHARED USE PATH / BIKEWAY, SEE MISCELLANEOUS DETAILS SHEET DRAWING NO. S1020PCVT501
- (4) CONCRETE ENTRANCE
- (5) TYPE F CONCRETE BARRIER (SINGLE FACE), SEE CW-33 FOR ROADWAY STANDARD DETAILS
- (6) TRAFFIC BARRIER W BEAM, SEE CW-33 FOR ROADWAY STANDARD DETAILS
- (7) FENCE, SEE FENCE PLANS THIS PACKAGE

- NOTE:
- ALL MEASUREMENTS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - PROPOSED STORMDRAIN FACILITIES SHOWN FOR REFERENCE ONLY. SEE STORMDRAIN PLANS IN THIS PACKAGE FOR DETAILS.
 - STRIPING SHOWN FOR REFERENCE ONLY. SEE S1-021 FOR DETAILS.
 - RETAINING WALLS SHOWN FOR REFERENCE ONLY. SEE S1-042 FOR DETAILS.
 - TRACK SHOWN FOR REFERENCE WHEN ROADWAY ALIGNMENT IS AVAILABLE. SEE S1-050 FOR TRACK DETAILS.
 - FOR UTILITY RELOCATIONS SEE UTILITY PACKAGES U101, U102, U104, & U105 AS APPROPRIATE.

| 0 | RELEASE FOR CONSTRUCTION | CJC | 05/29/18 | JLB |
|-----------|--------------------------|-----|----------|-----|
| | | | | RBR |
| | | | | JLB |
| | | | | CJC |
| NO. | DESCRIPTION | BY | DATE | |
| REVISIONS | | | | |

Aerial Photograph (2017)



Aerial Photograph (2020)



Site Photographs – March 2021



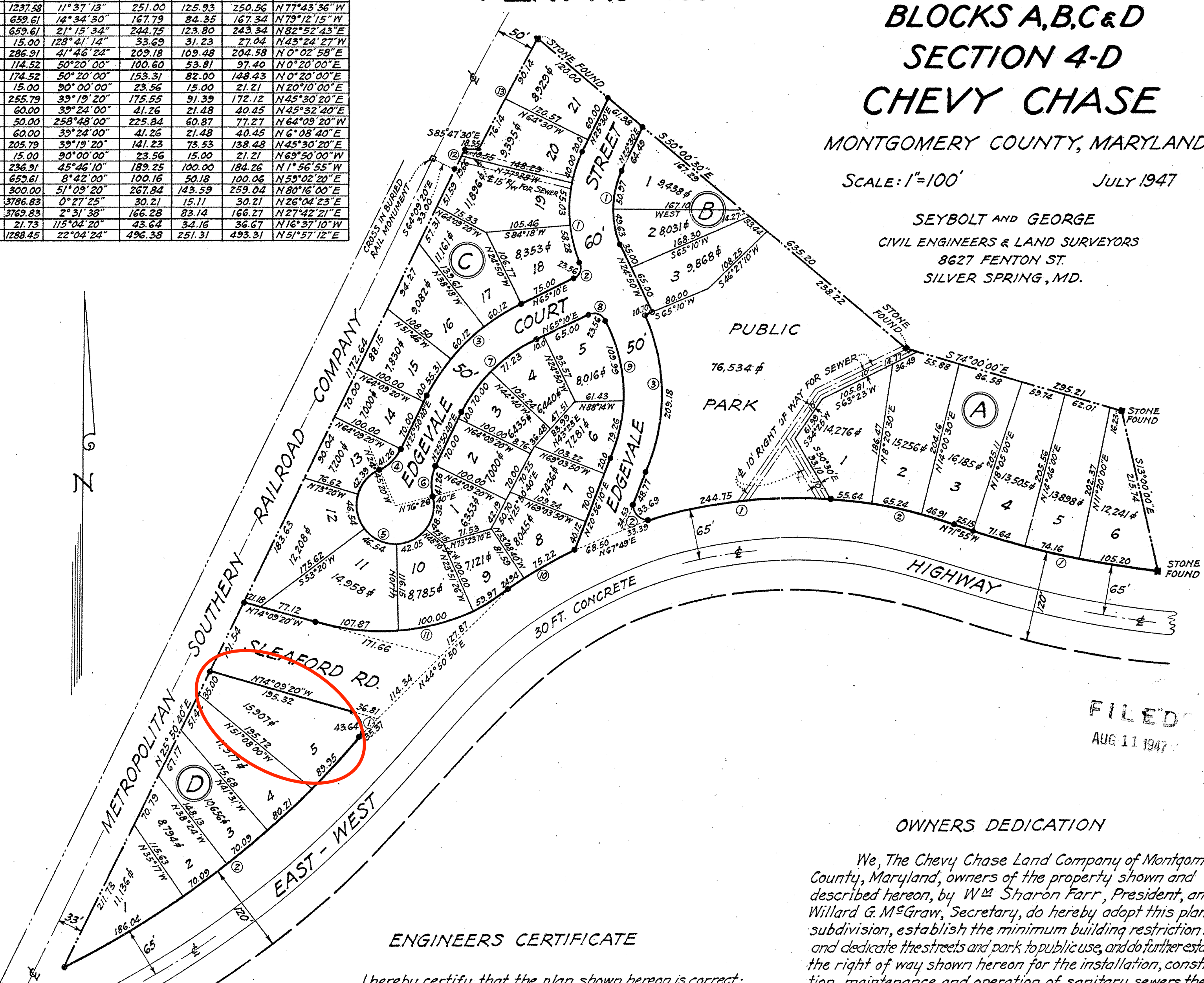
| CURVE DATA | | | | | | |
|------------|----|---------|--------------|--------|--------|-----------------|
| BLK. | Nº | RADIUS | Δ | ARC | TAN. | CH. BEARING |
| A | 1 | 1237.58 | 11° 37' 13" | 251.00 | 125.93 | N 77° 43' 36" W |
| | 2 | 659.61 | 14° 34' 30" | 167.79 | 84.35 | N 79° 12' 15" W |
| PARK | 1 | 659.61 | 21° 15' 34" | 244.75 | 123.80 | N 82° 52' 43" E |
| | 2 | 15.00 | 128° 41' 14" | 33.69 | 31.23 | N 43° 24' 27" W |
| B | 3 | 286.91 | 41° 46' 24" | 209.18 | 109.48 | N 0° 02' 58" E |
| | 1 | 114.52 | 50° 20' 00" | 100.60 | 53.81 | N 0° 20' 00" E |
| C | 1 | 174.52 | 50° 20' 00" | 153.31 | 82.00 | N 0° 20' 00" E |
| | 2 | 15.00 | 90° 00' 00" | 23.56 | 15.00 | N 20° 10' 00" E |
| | 3 | 255.79 | 39° 19' 20" | 175.55 | 91.39 | N 45° 30' 20" E |
| | 4 | 60.00 | 39° 24' 00" | 41.26 | 21.48 | N 45° 32' 40" E |
| | 5 | 50.00 | 258° 48' 00" | 225.84 | 60.87 | N 64° 09' 20" W |
| | 6 | 60.00 | 39° 24' 00" | 41.26 | 21.48 | N 6° 08' 40" E |
| | 7 | 205.79 | 39° 19' 20" | 141.23 | 73.53 | N 45° 30' 20" E |
| | 8 | 15.00 | 90° 00' 00" | 23.56 | 15.00 | N 69° 50' 00" W |
| | 9 | 236.91 | 45° 46' 10" | 189.25 | 100.00 | N 1° 56' 55" W |
| | 10 | 659.61 | 8° 42' 00" | 100.16 | 50.18 | N 59° 02' 20" E |
| | 11 | 300.00 | 51° 09' 20" | 267.84 | 143.59 | N 80° 16' 00" E |
| | 12 | 3786.83 | 0° 27' 25" | 30.21 | 15.11 | N 26° 04' 23" E |
| | 13 | 3769.83 | 2° 31' 38" | 166.28 | 83.14 | N 27° 42' 21" E |
| D | 1 | 21.73 | 115° 04' 20" | 43.64 | 34.16 | N 16° 37' 10" W |
| | 2 | 1288.45 | 22° 04' 24" | 496.38 | 251.31 | N 51° 57' 12" E |

PLAT No 2006

BLOCKS A,B,C&D
SECTION 4-D
CHEVY CHASE
MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=100' JULY 1947

SEYBOLT AND GEORGE
CIVIL ENGINEERS & LAND SURVEYORS
8627 FENTON ST.
SILVER SPRING, MD.



FILED
AUG 11 1947

OWNERS DEDICATION

We, The Chevy Chase Land Company of Montgomery County, Maryland, owners of the property shown and described hereon, by W^m Sharon Farr, President, and Willard G. McGraw, Secretary, do hereby adopt this plan of subdivision, establish the minimum building restriction lines and dedicate the streets and park to public use, and do further establish the right of way shown hereon for the installation, construction, maintenance and operation of sanitary sewers therein. There are no suits of action, leases, liens or trusts on the property included in this plan of subdivision

July 3, 1947

The Chevy Chase Land Company
of Montgomery County, Md.

Attest:

By

Willard G. McGraw, Secretary

W^m Sharon Farr, President

ENGINEERS CERTIFICATE

I hereby certify that the plan shown hereon is correct; That it is a subdivision of part of the lands conveyed to The Chevy Chase Land Company of Montgomery County, Maryland by two deeds, one from George E. Hamilton, et al, Trustees, dated October 29, 1931 and recorded among the Land Records of Montgomery County, Maryland in Liber 528 at Folio 244 and the other from George B. Williams, unmarried, dated June 4, 1937 and recorded among the said Land Records in Liber 672 at Folio 198;

And that stones indicated thus: ■ and iron pipes indicated thus: ●, have been placed as shown.

July 3, 1947

James M. Seybolt, Registered
Professional Engineer and Land Surveyor,
MD. No. 1187

WASHINGTON SUBURBAN SANITARY COMMISSION

APPROVED: JULY 17, 1947
SUITABLE FOR WATER & SEWER DESIGN WITHOUT
COMMITMENT AS TO INSTALLATION

Harry Hall, Chief Engineer

MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION

APPROVED: JULY 10, 1947

Frank M. Richards, Chairman
Director of Planning
James K. Adams, Acting Secretary
Chief Engineer

M.N.C.P. & P.C. RECORD FILE Nº 126-6

August 19, 2020

To whom it may concern:

We, Cynthia Weiss and Siva Anantham, are the owners of a property located at 4201 East West Highway located in Chevy Chase, Maryland 20815, and further identified as:

- Lot 5, Block D, Chevy Chase Section 4D
- Tax Account No. 00419226

This letter hereby authorizes Nova East West, LLC, and/or Damon Orobona, as an Authorized Signatory to sign and file any and all application documents and permits on behalf of the owners of the property referenced above in connection with the property, including but not limited to right-of-way abandonment, NRI/FSD, and preliminary plan applications.

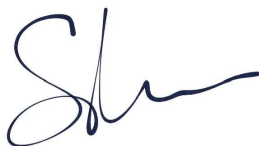
This authorization includes preparing the applications and all related materials needed to support any relevant applications and filing and processing the applications and all supporting materials with the applicable governmental bodies.

Please feel free to contact us if there are any further questions regarding this authorization. Thank you for your attention to this request.

Respectfully,

A handwritten signature in blue ink, appearing to be 'Cynthia Weiss', with a stylized, cursive script.

Cynthia Weiss
4314 Chestnut Street
Bethesda, Maryland 20814

A handwritten signature in blue ink, appearing to be 'Siva Anantham', with a stylized, cursive script.

Siva Anantham
4314 Chestnut Street
Bethesda, Maryland 20814

NOVA EAST WEST LLC
7220 CHESTNUT STREET
CHEVY CHASE MD 20815

08-19

1008

65-7198/2550

3/3/2021

Date

CHECK ARMOR
FALL PROTECTION

Pay to the Order of MONTGOMERY COUNTY DEPT. OF TRANSPORTATION \$ 2,500.00

TWO THOUSAND FIVE HUNDRED AND 00/100 Dollars

Photo
Safe
Deposit
Labels on back

Capital One

For ABANDONMENT APPLICATION FEE

Damon Oropz MP

⑆ 255071981⑆ 136 14 30481⑆ 01008

Harland Clarke

Capital One Bank is a trade name of Capital One, N.A.